

**MARSHALL COUNTY COMMISSION
DECEMBER 4, 2012**

The Commission convened this day pursuant to the following call: Jason E. Padlow, President; Donald K. Mason and Brian L. Schambach, Commissioners; Jan Pest, County Clerk; Betsy Frohnafel, County Administrator. Winnie Turner, Chief Deputy of the County Clerk's Office.

At a Special Session of the Commission of Marshall County, West Virginia, held at 9:30 A.M., the Notice of the time and purpose of this Special Session had been posted at the front door of the courthouse for more than two days before the commencement of the Special Session, it is ordered that said Notice together with the certification of the Clerk of the time when it was posted, be entered of record, which is done accordingly in words and figures as follows:

NOTICE OF SPECIAL SESSION

The County Commission of Marshall County, West Virginia will meet in Special Session at the Courthouse thereof, on Tuesday, December 4, 2012, at 9:30 A.M. for the following purposes, that is to say:

To Audit Claims
To Act upon Rebates
To consider any other matters
Which may properly come before
The Commission.

Called by the President of the Commission with the Concurrence of the other two members.

s/ Jason E. Padlow, President

Posted at the front door of the Courthouse on the 29th day of November, 2012.

s/ Jan Pest, County Clerk

CARING TREE – Kathy Shreve, Marshall County Caring Tree, appeared before the Commission requesting Commission support for the Caring Tree project again this year. Mrs. Shreve stated there are only 366 names on the Caring Trees this year, however, 51 have not been taken as of yesterday.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved a contribution in the amount of \$1,500 for the Caring Tree. Motion carried.

COUNTY COMMISSION – REAL ESTATE – Mary Stees, Elizabeth Magnone and Ray Young appeared before the Commission to announce the closing of the Jozabeth clothing store located on 7th Street across from the Courthouse. The Commission, after

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months of negotiations, announced they are purchasing the property; and received the Property Sale Agreement executed by Mrs. Stees, Ms. Magnone, and William Stees, husband of Mary Stees.

Mrs. Stees and Ms. Magnone felt the sale would benefit all involved; and since it will be used for a public safety building the citizens of Marshall County will also benefit.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the Property Sale Agreement in the amount of \$846,000 and authorized the signatures of all three Commissioners and further moved to close on the Agreement. Motion carried.

COMMISSION ROOM – SOUND SYSTEM AND SECURITY CAMERAS – Gary

Shreve attended the Commission meeting and asked if any more discussion was held concerning his request for a sound system and security cameras in the Commission Room. Commissioner Padlow stated he felt this was a good idea.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission will look into installing security cameras and a sound system in the Commission Room. Motion carried.

RESOLUTION IN SUPPORT OF THE RENEWAL OF ADDITIONAL LEVIES FOR

MARSHALL COUNTY SCHOOLS – Fred Renzella, Superintendent of Marshall County

Schools, appeared before the Commission to thank the Commissioners for their continued support and thanked Commissioner Padlow for his concerns in raising taxes. School Board Vice-President Lori Kestner stated the Board passed a Resolution to continue the history of imposing 98% of the Levy. This Levy will not result in any increase in taxes.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission adopted the following Resolution, which was read by Commissioner Mason:

**RESOLUTION IN SUPPORT THE ELECTION
TO AUTHORIZE THE RENEWAL OF ADDITIONAL LEVIES
FOR MARSHALL COUNTY SCHOOLS**

WHEREAS, the Marshall County Commission recognizes that a good educational system is the backbone of all communities. The residents of Marshall County also acknowledged the same by approving the first Operating Levy for Marshall County Schools in 1959, 63 years ago; and

WHEREAS, the renewal levy will provide \$16.43 million to Marshall County Schools every year for the next five years, totaling \$82.16 million by continuing to charge:

- 22.95 cents per \$100 of value for Class I properties;
- 45.90 cents per \$100 of value for Class II properties; and
- 91.80 cents per \$100 in value for Class III and IV properties, and

WHEREAS, the receipt of these funds enable the Marshall County Board of Education to continue to provide our schools with support and services such as, but not limited to, up-to-date instructional equipment and supplies for teachers, state-of-the-art technology and programs for students, special education services, free breakfast, music and band equipment,

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athletic coaching positions, essential building maintenance and upgrades, supplemental salary and benefits for employees; and

WHEREAS, the renewal of the additional levies for Marshall County Schools will not increase your taxes. This renewal levy requests the same rates which have been in effect since the inception of the levy 63 years ago, and

WHEREAS, the Marshall County Commission recognizes the positive impact quality educational institutions have on the future of our children and on the ability to bring more job opportunities to Marshall County, and

THEREFORE BE IT RESOLVED that the Marshall County Commission supports the efforts of the Marshall County Board of Education to pass the "Election to Authorized the Renewal of Additional Levies" on Saturday, December 15, 2012 and encourage all Marshall County residents to do the same.

COUNTY COMMISSION – AUCTION – Betsy Frohnapfel, County Administrator, reported the Commission held an auction in the hallway of the Courthouse on November 20, 2012, for the County garage located on Western Avenue, and property on Theron Lane. The property on Theron Lane only received one bid for \$500, and will need to be re-scheduled.

The County garage located on Western Avenue was purchased by David Blazer for \$10,000. Mrs. Frohnapfel submitted the proposed Deed for Commission approval and signature.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission President was authorized to sign the Deed. Motion carried.

RECESS – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission took a short recess. Commission reconvened.

FUTURE FUND BILL – Paul Miller, Outreach Director for the WV Center on Budget and Policy, appeared before the Commission to discuss the Future Fund Bill. The WV Center on Budget and Policy is a non-partisan, non-profit organization focused on tax and policy issues, and economic development.

Mr. Miller explained the Future Fund Bill to the Commission stating it does not change the Severance Tax rate, but takes a percentage from the revenue. This will be a pro-active fund, not like the Rainy Day Fund. Senator Jeff Kessler, President of the Senate, is in favor of this fund which will deal with oil and gas proceeds. Mr. Miller requested support from the Commission for the Future Fund Bill.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission tabled action on the matter until next week, to allow time for review. Motion carried.

WORKFORCE INVESTMENT BOARD – UPDATE – Christine Smith of the Northern Panhandle Workforce Investment Board appeared with updates for the Commission.

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Mrs. Smith updated the Commission on on-going programs within Marshall County. The Commission thanked Mrs. Smith for the information.

2012 SPECIAL ELECTION – PRECINCT CHANGE ORDER – Jan Pest, County Clerk, submitted an Order for the necessary polling place changes for the Special Election to be held December 15, 2012.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission adopted the Order and the Commission President was authorized to sign the same. Motion carried.

MINUTES – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the minutes of the Special Session held November 13, 2012. Motion carried.

CORRESPONDENCE:

STATE TAX DEPT – PVC deficiencies

GOLD KHOUREY & TURAK – Community Christmas Tree Lighting Wed Dec 5 @ 4:30

FORK RIDGE EMS – closed as of Dec 3 2012

LIBRARY SING-A-LONGS – Benwood-McMechen Mon Dec 3 @ 6:30; Moundsville Wed Dec 12 @ 6:30

MARC HARSHMAN – book signing @ Moundsville Library Dec 5 @ 4

PROJECT BEST BREAKFAST – tomorrow morning

BUSINESS-AFTER-HOURS – Thursday Dec 6 @ 5PM

DAVE POWERS – Magician Dec 4 @ 6PM Moundsville Library

OEM – HAZARD MITIGATION GRANT PROGRAM – Mike Muccheck, OEM Deputy Director, submitted the Hazard Mitigation Grant Program Resolution for Commission approval. The Resolution designates County Clerk Jan Pest as the agent for the Program.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission adopted the following Resolution and authorized all three Commissioners to sign:

RESOLUTION

Whereas, the Marshall County Commission participates in the Hazard Mitigation Grant Program.

Whereas, the Marshall County Commission agrees to designate Jan Pest, Marshall County Clerk, as the designated agent for the Hazard Mitigation Grant Program.

Therefore, on this date the 4th of December 2012m, let it be resolved the Marshall County Commission so as approves of this resolution.

HOLIDAY HOURS – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved closing the Courthouse on December 24 and December 31, 2012. Motion carried.

CLAIMS AUDITED – The Commission, this day, approved the following claims:

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| <u>GENERAL COUNTY FUND</u> | 6,710.50 |
| <u>COAL SEVERANCE FUND</u> | 123,750.00 |
| <u>E-911 FUND</u> | 60,305.96 |
| <u>DOG FUND</u> | 773.07 |
| <u>HOME CONFINEMENT FUND</u> | 141.00 |

ADJOURNMENT – There being no further business to come before the Commission, on motion of Commissioner Schambach, seconded by Commissioner Mason, the meeting was adjourned.

PRESIDENT